

On page 2 the Office Action rejects claims 53 and 55-56 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,253,275 to Yurt et al. (hereafter Yurt) and U.S. Patent 5,479,508 to Bestler et al. (hereafter Bestler). This rejection is respectfully traversed.

Independent claim 53 has been amended to incorporate the limitations of claim 3. The Examiner has indicated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claims and intervening claims. Therefore, claim 53 is allowable. Claims 55-56 depend from claim 53. For this reason and the additional features they recite, claims 55-56 are allowable.

On page 7 the Office Action states that claims 3 and 57-60 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. As discussed above, claim 53 is allowable subject matter. Claims 57-60 depend from claim 53. For this reason and the additional features they recite, claims 57-60 are allowable. Claim 3 has been cancelled.

On page 4 the Office Action rejects claims 1-2, 4-7 and 54 under 35 U.S.C. § 103(a) as being unpatentable over Yurt and Bestler in view of Benson (Television Engineering Handbook). This rejection is respectfully traversed.

Independent claim 1 has been amended to incorporate the limitations of claim 3. The Examiner has indicated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claims and intervening claims. Therefore, claim 1 is allowable. Claims 2 and 4-7 depend from claim 1. For this reason and the additional features they recite, claims 2 and 4-7 are allowable. Further, claim 54 depends from claim 53, which is allowable as discussed above. For this reason and the additional features recited therein, claim 54 is allowable.

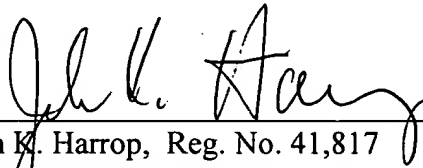
For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Attached hereto is a marked-up version and an executed version of the changes made to the claims by the current amendment. The attached pages are captioned "Version with markings to show changes made" and "Version showing executed changes", respectively.

Respectfully submitted,

Date: May 23, 2002

  
John K. Harrop, Reg. No. 41,817  
**DORSEY & WHITNEY LLP**  
1001 Pennsylvania Avenue, N.W.  
Suite 300 South  
Washington, D.C. 20004  
Tel. (703) 288-5247  
Fax (703) 288-5260

Attachments: Version With Markings to Show Changes Made  
Version Showing Executed Changes

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims**

1. (Amended) A method of allocating bandwidth to a plurality of programs, each of said programs corresponding to one of a plurality of categories, said method comprising the steps of:

selecting specific programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement;

allocating a segment of the bandwidth to the specifically selected programs; and  
continuing said allocating step with additional selected programs until at least one of the following conditions occurs:

all of said programs are allocated,  
all of said bandwidth is allocated.

53. (Amended) A method of allocating bandwidth to a plurality of programs, each of said programs corresponding to one of a plurality of categories, said method comprising the steps of:

selecting programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement;

allocating bandwidth to the categories from whence the selected programs correspond.

61. (Amended) A computer assisted packaging system for generating program control information, packaging programs and for allocating bandwidth to a plurality of programs comprising:

a multiplexer for receiving at least one program signal and at least one program control signal and for allocating a portion of [said] segments of bandwidth to [said] selected programs;

a delivery control processor unit connected to said multiplexer, whereby said program signals and said program [information] control signals are multiplexed by said multiplexer; and

a central processing unit connected to said delivery control processor unit, whereby said delivery control processor unit receives commands from said central processing unit.

**VERSION SHOWING EXECUTED CHANGES**

**In the Claims**

1. (Amended) A method of allocating bandwidth to a plurality of programs, each of said programs corresponding to one of a plurality of categories, said method comprising the steps of:

selecting specific programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement;

allocating a segment of the bandwidth to the specifically selected programs; and  
continuing said allocating step with additional selected programs until at least one of the following conditions occurs:

all of said programs are allocated,  
all of said bandwidth is allocated.

53. (Amended) A method of allocating bandwidth to a plurality of programs, each of said programs corresponding to one of a plurality of categories, said method comprising the steps of:

selecting programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement;

allocating bandwidth to the categories from whence the selected programs correspond.

61. (Amended) A computer assisted packaging system for generating program control information, packaging programs and for allocating bandwidth to a plurality of programs comprising:

a multiplexer for receiving at least one program signal and at least one program control signal and for allocating a portion of segments of bandwidth to selected programs;

a delivery control processor unit connected to said multiplexer, whereby said program signals and said program control signals are multiplexed by said multiplexer; and

a central processing unit connected to said delivery control processor unit, whereby said delivery control processor unit receives commands from said central processing unit.